



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड XI]

शिमला, शनिवार, 12 अक्टूबर, 1963/20 आश्विन, 1885

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा 'अधिसूचनाएँ' इत्यादि

GOVERNMENT OF HIMACHAL PRADESH ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATIONS

Simla-4, the 18th September, 1963

No. 4-95/63-Vety.—The head-quarter of Deputy Director, (Sheep and Wool), Himachal Pradesh, presently located at Khud Cottage, Simla-4, is hereby shifted to Sheep Breeding Farm, Chamba, District Chamba (Himachal Pradesh) with immediate effect in the public interest.

Simla-4, the 18th September, 1963

No. 4-59/63-Vety.—In pursuance of the recommendations of the Union Public Service Commission, the

Lieutenant Governor, Himachal Pradesh, has been pleased to appoint Shri Pramod Behari Mathur, as Liver Fluke Control Officer, Himachal Pradesh, on a pay of Rs. 300 P.M. plus usual allowances as admissible under the rules from time to time, in Class II (Gazetted) pay scale of Rs. 250-25-550/25-750, with effect from the forenoon of 17th July, 1963 (the date he actually assumed the charge of the post).

2. The appointment of Shri Mathur on the above mentioned post will be on probation for a period of two years in the first instance. His case for confirmation against this post can be considered only in case the post is made permanent by that time and in case his work and conduct warrant such consideration.

THAKUR SEN NEGI,
Secretary.

FOREST DEPARTMENT

NOTIFICATION

Simla-4, the 25th September, 1963

No. Ft. 59-8 61.—In continuation and modification of notification of even No. dated the 28th December, 1962, the Lieutenant Governor, Himachal Pradesh in consultation with the Union Public Service Commission, is pleased to allow the following officers to continue to officiate in H.P. Forest Service Class II (250-25-550/25-750) on *ad-hoc* basis in the merit order given below, upto the dates noted against each or till the Commission's nominees become available whichever is earlier.

Name of Officer	Present posting	Date specified for continuance
1	2	3
1. Shri Prithvi Singh Chandel.	On deputation with the Govt. of India, Ministry of External Affairs.	1-4-1966
2. Shri Tribhawan Mehta.	On deputation with the FRI and Colleges, Dehra-Dun.	-do-
3. Shri Daulat Ram	Attached Officer, Pabbar Valley Forest Division.	-do-
4. Shri Bahadur Singh.	I/c Soil Conservation School, Dalhousie.	-do-
5. Shri Vishal Singh.	I/c Lower Subordinates Forest Training School, Solan.	-do-
6. Shri Anant Ram Dhutwalia.	Attached Officer, Chamba Forest Division.	1-4-1965
7. Shri Kanti Bhushan Vaidya.	D.F.O., Kotgarh Forest Division.	-do-
8. Shri Manmohan Singh Negi.	On deputation with the Govt. of India, Ministry of External Affairs.	-do-
9. Shri Ganga Ram.	On deputation with the H. P. P.W.D.	-do-
10. Shri Shiam Nand Khimta.	Timber Passing Officer, Pathankot.	-do-
11. Shri Amin Chand.	Attached Officer, Chopal Forest Division.	-do-
12. Shri Sarad Chand.	Attached Officer, Kinnaur Forest Division.	1-4-1964
13. Shri Bhikham Singh.	Attached Officer, Solan Forest Division.	-do-
14. Shri T.R. Bajaj	Attached Officer, Forest Utilisation Division.	-do-

Reversions, if any, will take place in accordance with the above order on the basis of juniority.

By order,
V. P. AGARWALA,
Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-4, the 26th September, 1963

No. I&S. 15 (Lab.) 198/62.—Whereas the Lieutenant Governor, Himachal Pradesh, is satisfied that Public Emergency and Public Interest so require.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (N) of section 2 of the Industrial Disputes Act, 1947, read with the Government of India, Ministry of Labour and Employment Notification No.

IRI(9), dated the 28th June, 1947, the Lieutenant Governor, Himachal Pradesh, is pleased to declare the Himachal Pradesh Transport Service to be public utility service in the Union Territory of Himachal Pradesh for the purpose of the said Act for a further period of six months with effect from the date of expiry of the previous period viz., the 3rd September, 1963.

THAKUR SEN NEGI,
Secretary.

MEDICAL AND PUBLIC HEALTH DEPARTMENT NOTIFICATIONS

Simla-2, the 16th September, 1963

No. 3-124/63-Med.—The Lieutenant Governor (Administrator) Himachal Pradesh is pleased to appoint Dr. Rabinder Nath Sanyal, as Civil Assistant Surgeon Grade I (Gazetted) in the pay scale of Rs. 325-25-500-30-590/30-800, purely on a temporary basis for a period of one year or till the nominee of the Union Public Service Commission becomes available, whichever is earlier with effect from the 16th July, 1963 (F.N.).

Simla-2, the 21st September, 1963

No. 3-554/63-Med.—The Lieutenant Governor (Administrator) Himachal Pradesh is pleased to appoint Dr. Yoginder Mohan, as a Civil Assistant Surgeon Grade I (Gazetted) in the pay scale of Rs. 325-25-500-30-590/30-800, purely on a temporary basis for a period of one year or till the nominee of the Union Public Service Commission becomes available whichever is earlier, with effect from the 2nd August, 1963 (F.N.).

Simla-2, the 21st September, 1963

No. 3-171/62-Med.—On the recommendations of the Union Public Service Commission, the Lieutenant Governor (Administrator) Himachal Pradesh is pleased to appoint Dr. Sushil Kumar Paliwal as Civil Assistant Surgeon Grade I (Gazetted) in Himachal Pradesh in the pay scale of Rs. 325-25-500-30-590-EB-30-800, with effect from 19th July, 1963. He shall be on two years' probation.

By order,
Dr. Mrs. A. C. PARMAR,
Secretary.

PUBLIC WORKS DEPARTMENT
NOTIFICATION

Simla-4, the 18th September, 1963

No. PWE-136-190/60-3639-486.—In pursuance of Chief Engineer and Secretary P.W.D., to Himachal Pradesh Government's Office Order No. PWE-139-2/62-4582-91F, dated 19-8-1963, Shri M.P. Vaidya, Assistant Engineer, Bharmour Sub-Division, H.P., P.W.D., Rakh on his promotion as Executive Engineer took over charge of the office of Executive Engineer, New Township Division, H.P., P.W.D., Bilaspur on the afternoon of 30-8-1963 from Shri R. Sahai, Executive Engineer, New Township Division, Himachal Pradesh, P.W.D., Bilaspur.

S. P. ARORA,
Under Secretary.

CORRIGENDUM

Simla-4, the 27th September, 1963

No. PWE-141-1/63-A-6530-389.—Please read the scale of Rs. 625-40-1025/50-1275, instead of Rs. 625-25-1025/50-1275 appearing in sixth and seventh line of Secretary P.W.D., to Himachal Pradesh Government Gazette Notification No. 141-1/61-9794-9802F, dated 5-9-1963, regarding appointment of Shri R. S. Dogra, Executive Engineer, Electrical.

K. RAMA VARMAN,
Secretary.

भाग 2—वैधानिक नियमों को छाड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला मैत्रियों द्वारा
अधिवक्तनाम इन्यादि

OFFICE OF THE REGISTRAR, CO-OPERATIVE SOCIETIES, MAHASU DISTRICT, KASUMPTI

ORDERS

Kasumpti, the 24th September, 1963

No. 8244.—In supersession of this office order No. 4171 to 4173, dated 27-5-1963 and in exercise of the powers conferred upon me under section 104 of the Himachal Pradesh Co-operative Societies Act 13 of 1956, read with notification No. 8-106/60-Co-op, dated the 3rd May, 1960 from the Under Secretary (Co-operation) to Himachal Pradesh Administration, I. D. N. Chauhan, Registrar Co-operative Societies, Mahasu district, do hereby appoint Shri Rameshwar Dass Inspector Co-operative and Supplies, Kasumpti as Liquidator of the Himachal Pradesh Pharmaceutical and Industrial Co-operative Society, Ltd., Kasumpti, in place of Shri Hira Lal Chauhan, transferred and promoted as District Co-operative Audit Officer.

He is also delegated all powers under section 105(2) of the Himachal Pradesh Co-operative Societies Act 13 of 1956.

Kasumpti, the 24th September, 1963

No. Co-op. I (125)/55-8251. In supersession of this office order No. 4242 to 4245, dated 28-5-1963, and in exercise of the powers conferred upon me under section 104 of the Himachal Pradesh Co-operative Societies Act 13 of 1956 read with notification No. 8-106/60-Co-op., dated 3rd May, 1960, from the Under Secretary (Co-operation) to H. P. Administration, I. D. N. Chauhan, Registrar, Co-operative Societies, Mahasu district, Kasumpti do hereby appoint Shri Rameshwar Dass Inspector Co-operative and Supplies Kasumpti as Liquidator of the Bhajji Co-operative M.P. Society Ltd., vice Shri Hira Lal Chauhan, transferred and promoted as District Audit Officer, Mahasu.

He is also delegated all powers under section 105(7) of the H.P. Co-operative Societies Act 13 of 1956.

D. N. CHAUHAN,
Registrar.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर्ग मिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश
के उप-राज्यपाल, जुडिशल कमिशनर ज कोर्ट, फाइनेंशल कार्मशनर तथा कमिशनर आफ इन्कम-टैक्स
द्वारा अधिवक्तन आदेश इन्यादि

मूल्य

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन परिषद तथा पंचायत विभाग

PANCHAYATS DEPARTMENT

NOTIFICATIONS

Simla-4, the 19th September, 1963

No. 28-1/62-Panch. (II).—In exercise of the powers conferred on him *vide* Sub-section (2) of section 3 of the H.P. Panchayat Raj Act, 1953, the Lieutenant Governor, H.P. is pleased to exclude villages from the Gram Sabha Ghund Darbar of Tehsil Theog, District Mahasu, established *vide* Notification No. CS. 92-242/53, dated the 29th December, 1953 as given below:—

Serial No. and Name of Tehsil.—1. Theog.

Patwar Circle.—Ghund Darbar No. 29.

Gram Sabha.—Ghund Darbar.

Names of the villages in Gram Sabha	Names of the villages, excluded from Gram Sabha
1. Bhuin.	1. Bhuin.
2. Bagain.	2. Bagain.
3. Damiyana.	3. Damiyana.
4. Khahar.	4. Khahar.
5. Deothi.	5. Deothi.
6. Basa Bagian.	6. Basa Bagian.
7. Banahal.	7. Banahal.
8. Dasana.	8. Dasana.
9. Palwi.	
10. Forest Reserve.	
11. Gadheri.	
12. Banari.	
13. Ghund Darbar.	
14. Shaloha.	

Simla-4, the 19th September, 1963

No. 28-1/62-Panch.(II).—In exercise of the powers conferred on him *vide* Sub-sections (1) and (2) of section 3 of the H.P. Panchayat Raj Act, 1953, the Lieutenant Governor, Himachal Pradesh is pleased to establish Gram Sabha Bagain in Tehsil Theog, District Mahasu, with the territorial jurisdiction as given below:—

Serial No. and Name of Tehsil.—1. Theog.

Patwar Circle.—Ghund Darbar.

Gram Sabha	Names of the villages included in the Gram Sabha
Bagain.	1. Bhuin. 2. Bagain. 3. Damiyana. 4. Khahar. 5. Deothi. 6. Basa Bagian. 7. Banahal. 8. Dasana.

Simla-4, the 21st September, 1963

No. 28-6 62-Panch. II.—In exercise of the powers conferred by Sub-section (2) of section (3) of the H.P. Panchayat Raj Act, 1952 (Act No. 6 of 1953) The Lieutenant Governor, Himachal Pradesh is pleased to exclude villages as mentioned hereunder from the Gram Sabha Panjain of Tehsil Chachiot, District Mandi, as established *vide* Notification No. CS. 92-86/53, dated the 1st May, 1954:—

Serial No. and Name of Tehsil.—1. Chachiot.

Patwar Circle.—Panjain.

Gram Sabha.—Panjain.

Names of the villages in Gram Sabha	Names of villages excluded from Gram Sabha
1. Kaphar. 2. Chet. 3. Sarni. 4. Dobb. 5. Doni. 6. Baksehar. 7. Segla. 8. Lagaryana. 9. Panjain. 10. Kao.	1. Gurehan. 2. Marwah. 3. Donju. 4. Chuhr-Batwara. 5. Darwar. 6. Segla. 7. Bhanwas. 8. Baggi. 9. Seri. 10. Salwar.

1

2

11. Morukhamarada.	11. Srain.
12. Dadawri.	12. Rakhanidhar.
13. Malar.	13. Nalod.
14. Panola.	14. Bhandeli.
15. Basan.	15. Panu.
16. Khalwan.	16. Bung.
17. Masot.	17. Tandi.
18. Manjholi.	18. Gagan.
19. Bijher.	19. Narudagi.
20. Shalgar.	20. Kua.
21. Gurehan.	21. Khanoli.
22. Marwah.	22. Kukas.

Lieutenant Governor, Himachal Pradesh, is pleased to establish Gram Sabhas Thachi in Thesil Chachiot, District Mandi of the villages excluded from Gram Sabha Panjain *vide* this Office Department Notification of even number dated 21-9-1963, with the territorial jurisdiction, as given hereunder:—

*Serial No. and Name of Tehsil.—1. Chachiot.
Patwar Circle.—Panjain.*

Gram Sabha	Names of the villages included in the Gram Sabha
Thachi.	1. Gurehan. 2. Marwah. 3. Donju. 4. Chuhri Batwara. 5. Darwar. 6. Segla. 7. Bhangwas. 8. Baggi. 9. Seri. 10. Salwar. 11. Srain. 12. Rakhanidhar. 13. Nalod. 14. Bhandeli. 15. Panu. 16. Bung. 17. Tandi. 18. Gagan. 19. Narudagi. 20. Kua. 21. Khanoli. 22. Kukas.

Simla-4. the 21st September, 1963

No. 28-6/62-Panch. II.—In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the H.P. Panchayat Raj Act, 1952. (Act. No. 6 of 1953) the

By order,
LAKSHMAN DASS,
Joint Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

शून्य

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

CIVIL SUPPLIES DEPARTMENT NOTIFICATIONS

Simla-4. the 23rd September, 1963

No. 14-1/63-CS.—The Kerosene (Price Control) Third Amendment Order, 1963, made by the Government of India and Published in Part II section 3. Sub-section (ii) of the Gazette of India Extraordinary, dated the 5th August, 1963, is hereby republished in the Himachal Pradesh Rajpatra for information of general public.

S.O. 2004.—In exercise of the powers conferred by sub-rules (2) and (3) of rule 125 of the Defence of India Rules, 1962, the Central Government hereby makes the following order to amend the Kerosene (Price Control) Order, 1963, namely:—

1. This Order may be called the Kerosene (Price Control) Third Amendment Order, 1963.
2. In the Kerosene (Price Control) Order, 1963, after clause 4, the following clauses shall be inserted, namely:—

“4A. Prohibition against withholding from sale.—No dealer having stock of kerosene shall withhold it from sale.

4B. Forfeiture.—Any court trying a contravention of this Order, may direct that any stock of kerosene in respect of which the court is satisfied that the Order has been contravened, shall be forfeited to Government”.

[No. 101(12)/63-PPD].

N. N. KASHYAP,
Joint Secretary.

Simla-4. the 26th September, 1963

No. 17-4/63-CS.—A copy of the Government of India, Ministry of Food and Agriculture Notification No.

1434, dated 2nd September, 1963 published in Part II, Section 3(i) of the Gazette of India Extraordinary dated 2nd September is hereby republished in Himachal Pradesh Rajpatra for information of general public.

G.S.R. 1434.—In exercise of the powers conferred by sub-rule (2) of rule 125 of the Defence of India Rules, 1962, and clause 6 of the Sugar (Control) Order, 1963, the Central Government hereby makes the following further amendments in the notifications of the Government of India in the Ministry of Food and Agriculture (Department of Food) No. G.S.R. 677, dated the 17th April, 1963, namely:—

In the said notification—

(1) In schedule I, under the heading “Area”, for the entry “West Uttar Pradesh” and the ex-factory price relating thereto, the following entries and ex-factory prices shall be substituted, namely:—

“West Uttar Pradesh:

(i) factories mentioned in Part A under the heading “West Uttar Pradesh” in Schedule III .. 111.20

(ii) other factories mentioned in Part B under the heading “West Uttar Pradesh” in Schedule III .. 108.50”

(2) In schedule III, under the heading ‘West Uttar Pradesh’, for the existing entries, the following sub-headings and entries shall be substituted, namely:—

PART A

1. M/S. The Modi Sugar Mills Ltd., Modinagar, District Meerut.
2. M/S. Ram Luxman Sugar Mills, P.O. Mohiuddinpur, District Meerut.
3. M/S. Jaswant Sugar Mills Ltd., Meerut City, District Meerut.

4. M/S. Diwan Sugar Mills, Diwannagar, P.O. Sakhoti Tanda, District Meerut.
5. M/S. The Upper India Sugar Mills Ltd., Khatauli, District Muzaffarnagar.
6. M/S. Sir Shadi Lal Sugar and General Mills Ltd., Mansurpur, District Muzaffarnagar.
7. M/S. The Amritsar Sugar Mills Co., Ltd., Rohanakalan, P.O. Rohana Mills, District Muzaffarnagar.
8. M/S. The Lord Krishna Sugar Mills Ltd., Saharanpur, District Saharanpur.
9. M/S. The Bagpat Co-operative Sugar Mills Ltd., Bagpat, District Meerut.
10. M/S. Kisan Co-operative Sugar Factory Ltd., P.O. Sarsawa, District Saharanpur.
11. M/S. The Simbhaoli Sugar Mills Pvt., Ltd., P.O. Simbhaoli, District Meerut.
12. M/S. Pannijee Sugar and General Mills Co., Bulandshahr, Panninagar, District Bulandshahr.
13. M/S. The Upper Doab Sugar Mills Ltd., Shamli, District Muzaffarnagar.
14. M/S. Kundan Sugar Mills, Amroha, District Moradabad.
15. M/S. The Dharmpur Sugar Mills Ltd., P.O. Dhampur district Bijnor.
16. M/S. Shiv Prasad Banarsidas Sugar Mills, Bijnor, District Bijnor.
16. M/S. Rosa Sugar Factory Pvt. Ltd., Rosa, District Shahjahanpur.

PART B

1. M/S. The Oudh Sugar Mills Ltd., Hargaon, District Sitapur.
2. M/S. The Hindusthan Sugar Mills Ltd., Golagokarannath, District Kheri.
3. M/S. The L.H. Sugar Factories and Oil Mill (Pvt.) Ltd., Pilibhit, District Pilibhit.
4. M/S. The Kesar Sugar Works Ltd., Baheri, District Bareilly.
5. M/S. The Neoli Sugar Factory, Manpurnagar, P.O. Neoli, District Etah.
6. M/S. The Gobind Sugar Mills Ltd., P.O. Aira Estate, District Kheri.
7. M/S. The L.H. Sugar Factories and Oil Mill Pvt. Ltd., Kashipur, District Nainital.
8. M/S. The Bazpur Co-operative Sugar Factory Ltd., Bazpur, District Nainital.
9. M/S. Daurala Sugar Works, Daurala, District Meerut.
10. M/S. Mawana Sugar Works, Mawana, District Meerut.
11. M/S. The Ganga Sugar Corporation Ltd., Deoband District Saharanpur.
12. M/S. The Lakshmi Sugar and Oil Mills Ltd., Hardoi, District Hardoi.
13. M/S. The Lakshmi Sugar Mills Pvt. Ltd., Maholi, District Sitapur.
14. M/S. The Seksaria Biswan Sugar Factory Pvt., Ltd., Biswan, District Sitapur.
15. M/S. The H. R. Sugar Factory Pvt., Ltd., Bareilly, District Bareilly.
16. M/S. Upper Ganges Sugar Mills Ltd., Seohara, District Bijnor.
17. M/S. Shri Janki Sugar Mills and Co., Deiwala, District Dehradun.
18. M/S. Rai Bahadur Narain Singh Mills Pvt., Ltd., Lhaksar, District Saharanpur.
19. M/S. The Ajudhia Sugar Mills, P.O. Rajaka, Sahaspur, District Moradabad.
20. M/S. The Raza Buland Sugar Co., Ltd., Raza Factory P.O. Rampur District Rampur.
21. M/S. Raza Buland Sugar Co., Ltd., Buland Factory Rampur, District Rampur.
22. M/S. The Mahalakshmi Sugar Mills Co. Ltd., Iqbalpur P.O. District Saharanpur.
23. Experimental Sugar Factory, National Sugar Institute, Kanpur, District Kanpur.

[No. 1(1)/63-S.Py.]

L. G. RAJWADE,
Joint Secretary.S. M. GOYAL,
Joint Secretary.EXCISE AND TAXATION DEPARTMENT
NOTIFICATION

(MEDICAL AND TOILET PREPARATIONS)

Simla-4, the 24th September, 1963

No. 1-4/63-E&T. The Government of India, Ministry of Finance (Department of Revenue) Notification No. 16, published in Part II Section 3(i) of the Gazette of India dated the 24th August, 1963, is re-published as an annexure to this letter in the Himachal Pradesh Government Gazette for information of the general public.

RAGHUBIR SINGH,
Joint Secretary.GOVERNMENT OF INDIA
MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

NOTIFICATION

(MEDICINAL AND TOILET PREPARATIONS)

New Delhi, the 24th August, 1963

No. 16.—In pursuance of sub-rule (3) of rule 60 of the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, the Central Government hereby declares that the new medicinal preparation 'Phos-B-Plex' manufactured by Messrs Worli Chemical Works Private Ltd., Bombay shall be included in the category of unrestricted preparations.

[F. No. 45/5(40)/62-Opium]

J. BANERJEE,

Deputy Secretary to the Government of India.

REVENUE DEPARTMENT

NOTIFICATION

Simla-4, the 30th July, 1963

No. 1-10/61-Rev. I.—The Punjab Pre-emption (Amendment) Act, 1960 (Punjab Act No. 10 of 1960) as extended to the Union territory of Himachal Pradesh *vide* Government of India, Ministry of Home Affairs notification No. G.S.R. 4/4/62-Judl-II/UTL, 60, dated the 17th May, 1963, as published in the Gazette of India, Part II, Section 3, Sub-section (i), dated the 25th May, 1963, is hereby republished in the Official Gazette of Himachal Pradesh for the information of general public.

By order,

RAGHUBIR SINGH,
Joint Secretary.GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
NOTIFICATION

New Delhi-11, the 17th May, 1963/27th Vaisakha, 1885

G.S.R.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950) the Central Government hereby extends to the Union territory of Himachal Pradesh the Punjab Pre-emption (Amendment) Act, 1960 (Punjab Act 10 of 1960) as at present in force in the State of Punjab, subject to the following modifications namely:—

MODIFICATIONS

In the said Act—

- (1) in section 2 for the words and figures "Punjab Pre-emption Act, 1913" the words and figures "Punjab Pre-emption Act, 1913, as extended to the Union territory of Himachal Pradesh" shall be substituted; and
- (2) for section 8, the following section shall be substituted, namely:—
 8. After section 30 of the Principal Act, the following new section shall be added, namely:—

"Insertion of new section 31 in Punjab Act of 1913:—
 31. No court shall pass a decree in a suit for pre-emption whether instituted before or after the date of extension of the Punjab Pre-emption

(Amendment) Act, 1960, to the Union territory of Himachal Pradesh, which is inconsistent with the provisions of the said Act."

Punjab Pre-emption (Amendment) Act, 1960 as extended to the Union territory of Himachal Pradesh to apply to all suits

ANNEXURE

THE PUNJAB PRE-EMPTION (AMENDMENT)
ACT, 1960 AS EXTENDED TO THE UNION
TERRITORY OF HIMACHAL PRADESH

PUNJAB ACT NO. 10 OF 1960

AN
ACT

to Amend the Punjab Pre-emption Act, 1913

BE IT enacted by the Legislature of the State of Punjab in the Eleventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Punjab Pre-emption (Amendment) Act, 1960.

2. *Substitution of section 5 of Punjab Act 1 of 1913.*—For section 5 of the Punjab Pre-emption Act, 1913, as extended to the Union territory of Himachal Pradesh, (hereinafter referred to as the Principal Act), the following shall be substituted, namely:—

“5. *No right of pre-emption in certain cases.*—No right of pre-emption shall exist in respect of—

- (a) The sale of or foreclosure of a right to redeem—
(i) a shop, serai or katra;
(ii) a dharma sala, mosque or other similar buildings; or
- (b) the sale of agricultural land being waste land reclaimed by the vendee.

Explanation.—For the purposes of this section the expression waste land “means land recorded as banjar of any kind in revenue records and such *ghair mumkin* lands as are reclaimable.

3. *Substitution of section 6 of Punjab Act 1 of 1913.*—For section 6 of the Principal Act, the following section shall be substituted, namely:—

“6. *Exists in Agriculture land and Village immovable property.*—A right of pre-emption shall exist in respect of village immovable property and, subject to the provisions of clause (b) of section 5, in respect of Agricultural land, but every such right shall be subject to all the provisions and limitations in this Act contained.

4. *Substitution of section 15 and 16 of Punjab Act 1 of 1913.*—For section 15 and 16 of the Principal Act, the following sections shall be substituted, namely:—

“15. *Persons in whom right of pre-emption vests in respect of sales of agricultural land and village immovable property.*—(1) The right of pre-emption in respect of Agricultural land and village immovable property shall vest—

- (a) where the sale is by a sole owner—

First, in the son or daughter or son's son or daughter's son of the vendor;

Secondly, in the brother or brother's son of the vendor;

Thirdly, in the father's brother or father's brother's son of the vendor;

Fourthly, in the tenant who holds under tenancy of the vendor the land or property sold or a part thereof;

- (b) where the sale is of a share out of joint land or property and is not made by all the co-sharers

jointly.—

First, in the sons or daughters or son's sons or daughter's sons of the vendor or vendors;

Secondly, in the brothers or brother's sons of the vendor or vendors;

Thirdly, in the father's brothers or father's brother's sons of the vendor or vendors.

Fourthly, in the other co-sharers;

Fifthly, in the tenants who hold under tenancy of the vendor or vendors the land or property sold or a part thereof;

where the sale is of land or property owned jointly and is made by all the co-sharers jointly:—

First, in the sons or daughter or son's sons or daughter's sons of the vendors;

Secondly, in the brothers or brother's sons of the vendors;

Thirdly, in the father's brothers or father's brother's sons of the vendors;

Fourthly, in the tenants who hold under tenancy of the vendors or any one of them the land or property sold or a part thereof.

(2) Notwithstanding anything contained in sub-section

(1)—

(a) where the sale is by a female of land or property to which she had succeeded through her father or brother or the sale in respect of such land or property is by the son or daughter of such female after inheritance, the right of pre-emption shall vest:—

(i) if the sale is by such female, in her brother or brother's sons;

(ii) if the sale is by the son or daughter of such female, in the mother's brothers or the mother's brother's sons of the vendor or vendors;

(b) where the sale is by a female of land or property to which she has succeeded through her husband, or through her son in case the son has inherited the land or property sold from his father the right of pre-emption shall vest:—

First, in the son or daughter of such female;

Secondly, in the husband's brother or husband's brother's son of such female.

16. *Person in whom right of pre-emption vests in an urban immovable property.*—The right of pre-emption in respect of urban immovable property shall vest in the tenant who holds under tenancy of the vendor the property sold or a part thereof.

5. *Amendment of section 17 of Punjab Act 1 of 1913.*—

In section 17 of the Principal Act, clauses (c) and (d) shall be omitted.

In section of new section 31 in Punjab Act of 1913—

6. After section 30 of the Principal Act, the following new section shall be added, namely:—

“31. *Punjab Pre-emption (Amendment) Act, 1960 as extended to the Union territory of Himachal Pradesh to apply to all suits.*—No court shall pass a decree in a suit for pre-emption whether instituted before or after the date of extension of the Punjab Pre-emption (Amendment) Act, 1960 to the Union territory of Himachal Pradesh which is inconsistent with the provisions of the said Act.”

[No. F.14/4/62-Judl-II/UTL 60].

P. N. KAUL,

Deputy Secretary to the Government of India.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैतानिक अधिसूचनाएँ
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएँ

शून्य

अनुपूरक

शून्य